

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS**

**RITA AND PAM JERNIGAN AND
BECCA AND TARA AUSTIN**

PLAINTIFFS

v.

NO. 4:13-CV-410 KGB

**LARRY CRANE, In His Official Capacity
As Circuit And County Clerk For Pulaski County
And His Successors In Interest; RICHARD WEISS,
In His Official Capacity As Director Of The Arkansas
Department Of Finance And Administration,
And His Successors In Interest; GEORGE HOPKINS,
In His Official Capacity As Executive Director Of
The Arkansas Teacher Retirement System And His
Successors In Interest; DUSTIN McDANIEL, In His
Official Capacity As Attorney General For The State
Of Arkansas And His Successors In Interest**

DEFENDANTS

**WAGONER LAW FIRM RESPONSE TO CHERYL MAPLES' MOTION ENTITLED
"PLAINTIFF'S MOTION FOR SEPARATE ATTORNEYS' FEES AND COSTS"
AND
MOTION FOR COURT TO SET FEE APPLICATION DEADLINE UPON COMPLETION
OF PENDING APPEAL**

Jack Wagoner III, Angela Mann, Harrison Kemp, and Wagoner Law Firm, P.A., counsel for Plaintiffs (Rita and Pam Jernigan and Becca and Tara Austin), in response to the Motion filed by Cheryl Maples entitled "Plaintiff's Motion for Separate Attorney's Fees and Costs" and for their separate Motion for Court to Set Fee Application Deadline Upon Completion of Pending Appeal, state as follows:

1. Wagoner Law Firm and its attorneys, Jack Wagoner III, Angela Mann, and Harrison Kemp, do not join in the pleading filed by Cheryl Maples seeking separate attorneys' fees and costs in this action.

2. In the event that the Court is inclined to consider a fee award in this case, Wagoner Law Firm and its attorneys move that the Court enter an Order setting a time for filing of fee applications within thirty (30) days of the resolution of any unsuccessful appeal by the Defendants in this action.

WHEREFORE, Wagoner Law Firm, Jack Wagoner III, Angela Mann, and Harrison Kemp, do not join in "Plaintiff's Motion for Separate Attorney's Fees and Costs" filed by Cheryl Maples, move the Court to set a deadline for any fee applications by Plaintiffs to be made within thirty (30) days of any unsuccessful appeal pursued in this action; and for all other appropriate relief.

Dated: December 23, 2014

Respectfully submitted,

WAGONER LAW FIRM, P.A.

By: /s/ Jack Wagoner III
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CERTIFICATE OF SERVICE

I, Jack Wagoner III, do hereby certify that a true and correct copy of the foregoing document was served electronically by means of the Court's ECF/CM system on the following attorney of record:

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/s/ Jack Wagoner III